

AGILENT TECHNOLOGIES, INC.
Legal Department, DL429
Intellectual Property Administration
P. O. Box 7599
Loveland, Colorado 80537-0599

FEB 10 2003

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

1656 \$
PATENT APPLICATION

ATTORNEY DOCKET NO. 10981712-2

Inv ntor(s): Caren

Serial No.: 09/819,923

Examin r: J. Siew

Filing Date: 03-26-01

Group Art Unit: 1656

Title: METHOD OF PERFORMING ARRAY-BASED HYBRIDIZATON ASSAYS USING THERMAL INKJET DEPOSITION OF SAMPLE FLUIDS

RECEIVED

COMMISSIONER FOR PATENTS
Washington, D.C. 20231

FEB 14 2003

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
() No additional fee (Address envelope to "Box Non-Fee Amendments")
(X) Other: Return receipt postcard (fee \$)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	26	MINUS	22	= 4	X \$18	\$ 72
INDEP. CLAIMS	6	MINUS	5	= 1	X \$84	\$ 84
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$280	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$410.00	3RD MONTH \$930.00	4TH MONTH \$1450.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$	156

Charge \$ 156 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Caren

By

Bret Field for Gordon Stewart

Attorney/Agent for Applicant(s)
Reg. No. 37,620

Date: 02-03-2003

Telephone No.: (650) 485-2386

- Attach as First Page to Transmitted Papers -



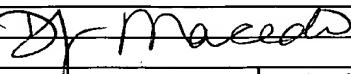
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FEB 14 2003

TECH CENTER 1600/2900

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name	Donna Macedo	
Signature		Date <u>2/13/03</u>

AMENDMENT & RESPONSE	Application Number	09/819,923
Address to: Commissioner for Patents Washington, D.C. 20231	Attorney Docket Number	10981712-2
	Filing Date	March 26, 2001
	First Named Inventor	Caren
	Examiner	Siew, J.
	Group Art	1656
	Title	Method of Performing Array-Based Hybridization Assays Using Thermal Inkjet Deposition of Sample Fluids

Sir:

This amendment is responsive to the Office Action dated November 1, 2002 for which a three-month period for response was given making this response due on or before February 1, 2003. In view of the amendments to the claims and the remarks put forth below, reconsideration and allowance are respectfully requested.

AMENDMENTS

In the claims:


Please cancel Claims 26, 29 and 30.

Please amend Claims 22, 27, 31 and 34 as follows:

22. (Amended) A method for depositing a quantity of fluid containing a nucleic acid onto an array surface having a plurality of nucleic acid binding agents stably associated therewith, said method comprising:


positioning a thermal inkjet head filled with said nucleic acid containing fluid in opposing relation to said substrate surface; and



actuating said thermal inkjet head in a manner sufficient to expel said quantity of fluid onto said substrate surface to deposit said quantity of fluid on said substrate surface, wherein nucleic acids present in said deposited fluid are capable of hybridizing to their

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